

REMARKS

Reconsideration and allowance in view of the foregoing amendment and the following remarks are respectfully requested. Claims 1, 17-18, 22 and 26 are amended without prejudice or disclaimer. Claims 15-16 are cancelled without prejudice or disclaimer.

Rejection of Claims 22-29 and 34 Under 35 U.S.C. §103(a)

The Office Action rejects claims 22-29 and 34 under 35 U.S.C. §103(a) as being unpatentable over Chapados et al. (U.S. Patent No. 6,356,869) ("Chapados et al."). Applicants note that the Office Action indicates that claim 1 would be allowable if the subject matter of claim 15 were incorporated therein. The subject matter of claim 15 recites that the top level flow controller is a recursive transition network (RTN) flow controller. Applicants have amended claim 22 to incorporate the limitation of claim 15 which therefore should render claim 22 allowable. Therefore, dependent claims 23-25 should also be in condition for allowance as well. Claim 26 is also amended in a similar manner rendering claims 26-29 and 34 patentable. Applicants also do not acquiesce that that claims are obvious in view of Chapados et al. and reserve the right to make any such arguments in a later filed application.

Rejection of Claims 1-14, 21, 30-33 and 35-36 Under 35 U.S.C. §103(a)

The Office Action rejects claims 1-14, 21, 30-33 and 35-36 under 35 U.S.C. §103(a) as being unpatentable over Chapados et al. in view of Abella et al. (U.S. Patent Publication No. 2003/0105634) ("Abella et al."). Applicants have amended claim 1 to incorporate the limitations of claim 15, which the Office Action indicates would render this claim allowable. Therefore, Applicants submit that claim 1 and dependent claims 2-14 and 21 are patentable and in condition for allowance.

Claims 30-33 and 35-36 each depend from claim 26, which has been noted above has been amended to also include the limitation of claim 15 therefore rendering these dependent claims patentable as well.

Allowable Subject Matter


The Office Action states that claims 15-20 will be allowed if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Applicants respectfully submit that by incorporating the limitation of claim 15 into claims 1, 22 and 26, the present application is patentable and in condition for allowance.

CONCLUSION

Having addressed all rejections and objections, Applicants respectfully submit that the subject application is in condition for allowance and a Notice to that effect is earnestly solicited. If necessary, the Commissioner for Patents is authorized to charge or credit the **Novak, Druce & Quigg, LLP, Account No. 14-1437** for any deficiency or overpayment.

Respectfully submitted,

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